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Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MARIA JACKSON,

Plaintiff,

-against-

THE SCOTTS COMPANY,

Defendant.  
-----X

Index No. 08 CV 1064 (LAK)

MOTION AND NOTICE OF  
MOTION FOR LEAVE  
TO AMEND PLEADING

To: Craig S. Friedman, Esq. (CF-1988)  
Matthew W. Lampe, Esq. (*pro hac vice* application pending)  
Attorneys for Defendant  
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PLEASE TAKE NOTICE that on a date to be determined by this Court, or as soon thereafter as counsel can be heard, plaintiff will move the Court, at Courtroom No. 12D, United States Courthouse, 500 Pearl Street, New York, New York 10007, for leave to amend Complaint pursuant to Fed. R. Civ. P. 15(a). This motion will be made on the grounds that:

1. The amendment is necessary to repair jurisdictional allegations and add claims.
2. The amendment will not prejudice any party to this action.

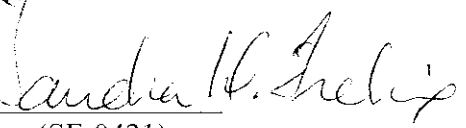
3. A copy of the proposed amended Complaint is attached as Exhibit 1.

This motion is accompanied by the attached affirmation and memorandum of law in support of this motion.

Dated: New York, New York  
March 18, 2008

Respectfully submitted,

SANDRA D. FRELIX, ESQ.

By: /s/ Sandra D. Frelix   
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